

BROADCAST FLAG AUTHORIZATION ACT OF 2005

109TH CONGRESS
1ST SESSION

To ratify the authority of the Federal Communications Commission to implement a Broadcast Flag.

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled,

SECTION 101. AUTHORITY

(a) 47 U.S.C. Section 303 is amended to add a new subsection (x) to read as follows:

(x) The FCC shall have the authority with respect to digital television receivers to adopt such additional regulations and certifications as are necessary, with the exclusive purpose of implementing the Report and Order in the matter of Digital Broadcast Content Protection, FCC 03-273, which was adopted by the Commission on November 4, 2003, effective January 20, 2004.

(i) RATIFICATION.-- The Report and Order in the matter of Digital Broadcast Content Protection, FCC 03-273 which was adopted by the Commission on November 4, 2003, effective January 20, 2004, and the Order in the matter of Digital Output Protection Technology and Recording Method Certifications FCC 04-193 which was adopted by the Commission on August 4, 2004, is ratified and shall become effective on {the DTV transition date/April 7, 2009}.

(ii) The Commission may reconsider, amend, repeal, supplement, and otherwise modify any such regulations and certifications, in whole or in part only for the purposes set forth in this Section (x).

Section 102. SAVINGS CLAUSE

The Federal Communications Commission may implement regulations for digital broadcast content protection for transmissions, provided that such rules are consistent with Title 17, United States Code.